

*LR* *BR*



Honorable Linda B. Riegle  
United States Bankruptcy Judge

Entered on Docket  
December 21, 2011

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11 *Attorneys for USACM Liquidating Trust*

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13 **UNITED STATES BANKRUPTCY COURT**  
**DISTRICT OF NEVADA**

14 In re:	Case No. BK-S-06-10725-LBR
15 USA COMMERCIAL MORTGAGE	CHAPTER 11
16 COMPANY,	<b>Order Setting Continued Status</b>
17	<b>Conference re Ovca Accociates, Inc.</b>
18	<b>Defined Pension Plan</b>
19	<b>Continued Hearing: March 1, 2012</b>
20	<b>Hearing Time: 10:00 a.m.</b>

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22 The following matters came before the Court for hearing on December 19, 2011.  
23 Counsel for the USACM Trust advised the Court that the Trust has initiated the ADR  
24 process with Mr. Ovca and requested that hearing on the following matters be continued.  
25 Good cause now appearing, it is

26 ORDERED:

1. The hearing on the following matters as they relate to Ovca Associated Defined  
Pension Plan only are hereby continued to **March 1, 2012 at 10:00 a.m.** at the U.S.

1 Bankruptcy Court, 300 Las Vegas Boulevard South; Courtroom # 1, Las Vegas, NV  
 2 89101;

- 3 • Tenth Omnibus Objection Of USACM Trust To Proofs Of Claim  
 4 Based Entirely Upon Investment in The Fox Hills 216, LLC  
 5 Loan ("Fox Hills Loan") [DE 8621] (the "Objection"); and the  
 6 response filed by Ovca Associates, Inc., Defined Pension Plan,  
 7 ("Ovca Associates"), [DE 8937] re Claim No. 10725-01574;
- 8 • Second Omnibus Objection of USACM Trust to Proofs of Claim  
 9 Based In Part Upon Investment in The Bundy Canyon (\$5.75  
 10 Million) Loan [DE 8734] and Ovca Associates, Claim No.  
 11 10725-01574; and
- 12 • Seventh Omnibus Objection of USACM Trust to Proofs of Claim  
 13 Based Partially Upon an Investment in the HFAH Clear Lake  
 14 Loan [DE 8897], the response filed by Ovca Associatesd [DE  
 15 9035] re Ovca Associates Claim No. 10725-01574.

16       2.. Ovca Associates' failure to appear at the hearing may be deemed a  
 17 withdrawal of the response and, consequently, the Court would sustain the USACM  
 18 Liquidating Trust's objection without further proceedings, meaning that Ovca Associates'  
 19 claim would be disallowed;

20       3. Ovca Associates may appear telephonically at the status conference on  
 21 March 1, 2012 by sending a written request to the Honorable Linda B. Riegle, U.S.  
 22 Bankruptcy Court; 300 Las Vegas Boulevard South; Las Vegas, NV 89101 or by sending a  
 23 facsimile request to 702-527-7015. The written request must be received by the Court on  
 24 or before February 17, 2012 or it will be denied without good cause shown for failing to  
 25 timely request permission to appear telephonically; and

26       4. Once the Court grants Ovca Associates permission to appear telephonically,  
 27 Ovca Associates should contact CourtCall at least 48 hours prior to the hearing by  
 28 telephone at 1-888-882-6878, or by facsimile at 888-883-2946, to make arrangements for  
 29 the telephonic appearance. CourtCall will require Ovca Associates to provide the Court  
 30 location, Judge's name, case name, case number, and date and time of the hearing.  
 31 CourtCall charges are to be paid by claimant.

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3 PREPARED AND RESPECTFULLY SUBMITTED BY:  
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5 **LEWIS AND ROCA LLP**  
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7 By /s/ John Hinderaker (AZ #018024)  
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11 *Attorneys for USACM Liquidating Trust*  
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## LOCAL RULE 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

This Court has waived the requirement set forth in LR 9021(b)(1).

No party appeared at the hearing or filed an objection to the motion.

I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

Counsel appearing: \_\_\_\_\_

I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order

Submitted by:  
LEWIS AND ROCA LLP

By: /s/ John Hinderaker (AZ #018024)  
Attorneys for USACM Liquidating Trust

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